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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable William Clay
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Clay:

This is in reply to your letter of February 10, 1993, in which you inquired on behalf of your constituent, Edward V. White, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. White is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

Enclosed - 2 Copies

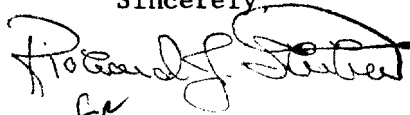
Honorable William Clay

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We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller". The signature is stylized with a large, sweeping "R" and a cursive "Haller".

for
Ralph A. Haller
Chief, Private Radio Bureau

Enclosures

cc:

Chief, PRBureau

Chief, LM&MDivison

Docket Files, Room 222

P&P Branch File (Pink)

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| Congressman | William Clay | BC |

| CONSTITUENT'S NAME | SUBJECT |
|--------------------|-----------------------------------|
| Edward V White | inq. comments on PR Docket 92-235 |

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REMARKS: Respond to the attention of M. Bogdanovich.

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30 January 1993

The Honorable William Clay
2470 Rayburn House Office Building
Washington, DC 20515-2501

Dear Mr. Clay:

I am an aerospace engineer living in St. Louis. In my spare time I enjoy constructing and operating Radio Controlled (R/C) model airplanes. I started in this hobby twenty-five years ago as a teenager with my father. It was probably a significant influence in my decision to entire aerospace engineering. I personally own several radios, model airplanes and a large variety of products needed to support my hobby. I am also very active in a local R/C model airplane club which not only brings together people interested in this hobby, but also frequently puts on demonstrations for organizations such as the Boy Scouts and has for several years put on an airshow for the benefit of the Civil Air Patrol.

I am very concerned about a proposed rule change currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

R/C model frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. Currently the FCC regulations allows R/C models to share this band with the land mobile frequencies. There is enough frequency separation built in to prevent interference. However, now the FCC wants to create more land mobile frequencies by splitting them into narrower bands and rearranging the band plan. The result will be that over half of the currently available frequencies for model airplanes will no longer be safely usable.

When we fly our model airplanes we go to great lengths to assure the safety of operators and bystanders and the protection of property. This is necessary because of the size, weight and speed at which these models operate. Many of the most important safety precautions involve the careful coordination and use of the radio frequencies. If the FCC is allowed to greatly reduce the number of safely usable frequencies, the remaining frequencies will become congested and the margin of safety will be reduced.

I think it is unwise of the FCC to seek to expand the operating conditions of land mobile radio users at the expense of radio controlled modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and radio equipment. This hobby provides many hours of enjoyment to thousands of people like